

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

DEL-RIO SWINK, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

THE UNIVERSITY OF PHOENIX, INC., an
Arizona corporation, THE RECEIVABLE
MANAGEMENT SERVICES
CORPORATION, a Delaware corporation,

Defendants.

Case No. 4:13-cv-00461-HEA

RULE 41 NOTICE OF VOLUNTARY DISMISSAL

Plaintiff Del-Rio Swink (“Plaintiff”), pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), hereby voluntarily dismisses this case in its entirety, without prejudice as to her individual claims and without prejudice as to the claims of the putative class members.

Federal Rule of Civil Procedure 41(a) provides, in relevant part that: “the plaintiff may dismiss an action without a court order by filing: (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment....” Fed. R. Civ. P. 41(a)(1)(A)(i). Defendants The University of Phoenix, Inc., and The Receivable Management Services Corporation have neither answered Plaintiff’s Complaint nor filed a motion for summary judgment. Accordingly, this matter may be dismissed without prejudice, and without an Order of the Court.

Respectfully submitted,

Dated: April 9, 2013

By: /s/ Kevin P. Green

One of her Attorneys

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CERTIFICATE OF SERVICE

I, Kevin P. Green, an attorney, hereby certify that on April 9, 2013, I served the above and foregoing ***RULE 41 NOTICE OF VOLUNTARY DISMISSAL***, by causing a true and accurate copy of such paper to be filed and served on all counsel of record via the Court's CM/ECF electronic filing system, on this the 9th day of April 2013.

/s/ Kevin P. Green
